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CIRCUIT COURT
FOR MULTNOMAH COUNTY

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

18CV48680

In the Matter of the Appointment
of a Custodian for the Law Practice of
LORI E. DEVENY,

Case No.

**DECLARATION OF JODIE
PHILLIPS POLICH**

I, Jodie Phillips Polich, declare as follows:

1. I am an attorney in good standing with the Oregon State Bar and have been
licensed to practice law in the State of Oregon since 1993. I am making this declaration on
personal knowledge and I am competent to testify about the matters contained herein. The
following is true to the best of my knowledge, information and belief. I understand that is made
for use as evidence in Court and subject to penalty for perjury.

2. I understand that, in a Form B Resignation signed by Lori E. Deveny on or about
May 24, 2018, Ms. Deveny appointed me as the attorney designated to take possession of her
client files. From and after May 24, 2018, I have not received any client files or related
documents from Ms. Deveny.

3. Attached as Exhibit 1 is a true and correct copy of an email exchange between
me, Amber Bevacqua-Lynott, and Emily Schwartz, dated August 16, 2018.

4. Attached as Exhibit 2 is a true and correct copy of a fax that I sent to Ms.
Bevacqua-Lynott, dated August 7, 2018.

1 I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST
2 OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE FOR USE
3 AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY FOR PERJURY.

4 Dated this 13rd day of October, 2018.

5 
6 Jodie Phillips Polich
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From: Amber Bevacqua-Lynott
Sent: Thursday, August 16, 2018 5:01 PM
To: 'Jodie Phillips|polich' <jodie@phillipspolich.com>
Cc: Emily Schwartz <eschwartz@osbar.org>
Subject: RE: Lori Deveny - Case Nos. 18-10, 18-11, 18-12, 18-61 & 18-62

Ms. Phillips Polich,

Please understand that it is not my intent to offend or upset you, and I have no way to know what issues you are dealing with or the frustration that has resulted from your being designated as the custodian in the resignation, which the court accepted in its order. What I was trying to convey is that all the Bar can do is provide the public what the order states in the absence of a further order from the court. I appreciate and empathize with your circumstances, and it was for that reason that I reached out to Mr. Mackeson to see if he could, through communication with his client, Ms. Deveny, facilitate a replacement for you. I am happy to follow up with Mr. Mackeson and would urge you do the same.

In short, while I would like to assist you in transitioning from your role, the Bar has no independent ability to alter the court's order.

Please be advised that I am preparing for trial next week but would be happy to speak with you further about this matter when I return to the office on August 28.

Amber Bevacqua-Lynott
Chief Assistant Disciplinary Counsel
503-431-6365
Allynott@osbar.org

Oregon State Bar • 16037 SW Upper Boones Ferry Road • PO Box 231935 • Tigard, OR 97281-1935 • www.osbar.org

Please note: Your email communication may be subject to public disclosure. Written communications to or from the Oregon State Bar are public records that, with limited exceptions, must be made available to anyone upon request in accordance with Oregon's public records laws.

From: Jodie Phillips polich [<mailto:jodie@philliospolich.com>]
Sent: Thursday, August 16, 2018 3:36 PM
To: Emily Schwartz <eschwartz@osbar.org>
Cc: Amber Bevacqua-Lynott <Allynott@osbar.org>
Subject: RE: Lori Deveny - Case Nos. 18-10, 18-11, 18-12, 18-61 & 18-62

Amber-

I left you a voice mail indicating that I expect a return call tomorrow to discuss this. I expect the OSB to stop telling people I am Lori's designee when I am not. If you can't change the Order, you also can't enforce the Order. I have NO access to Ms. Deveny's files, nor do I have her files. Any such representation by OSB is untrue.

Jodie Phillips Polich

From: Emily Schwartz <eschwartz@osbar.org>
Sent: Thursday, August 16, 2018 3:28 PM
To: Jodie Phillips polich <jodie@philliospolich.com>
Cc: Amber Bevacqua-Lynott <Allynott@osbar.org>
Subject: Lori Deveny - Case Nos. 18-10, 18-11, 18-12, 18-61 & 18-62

Dear Ms. Phillips Polich,

Attached please find a letter from Amber Bevacqua-Lynott. The original letter will be sent to you today via first class mail. Please let me know if you are unable to open the attachment.

Thank you,

Emily Schwartz

Discipline Paralegal
503-431-6327
eschwartz@osbar.org

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Please note: Your email communication may be subject to public disclosure. Written communications to or from the Oregon State Bar are public records that, with limited exceptions, must be made available to anyone upon request in accordance with Oregon's public records laws.

PO Box 220118
Milwaukie, Oregon 97269
503-654-1388
Fax: 503-652-2686

**Law Offices of Jodie
Anne Phillips Polich**

Fax

To: Amber Bevacqua-Lynott

From: Davina for Jodie Phillips Polich

Fax: 503-658-4457

Pages: Cover plus 1

Phone:

Date: August 7, 2018

Re: Lori Deveny

CC: Wayne Mackeson – via e-mail

Lori Deveny – via e-mail

Urgent For Review Please Comment Please Reply Please Recycle

• Comments:

LAW OFFICES OF
JODIE ANNE PHILLIPS POLICH, P.C.

August 7, 2018

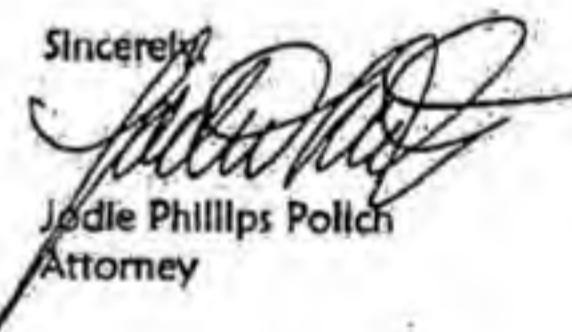
Amber Bevacqua-Lynott
Oregon State Bar – Disciplinary Counsel's Office
PO Box 231935
Tigard, Oregon 97281-1935

Re: Lori E. Deveny – Stipulation for BR 3.1 Interim Suspension

Dear Ms. Bevacqua-Lynott:

Please accept this letter as notification that due to personal circumstances I am no longer in a position to serve as Ms. Deveny's designee or contact person as discussed in paragraph 8 of the April 27, 2018 Stipulation for BR 3.1 Interim Suspension. I would appreciate it if you would please adjust your records accordingly.

Sincerely,



Jodie Phillips Polich
Attorney

JP/jp

Cc: Lori Deveny – via e-mail; Wayne Mackeson – via e-mail

PO BOX 220119 • MILWAUKIE, OREGON • 97269
PHONE: 503-654-1388 • FAX: 503-652-2586